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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA)	CASE NO. CR 15-00409 WHA
)	
14 v.)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME FROM OTHERWISE
15 LESLIE JAMES MCNEAL,)	APPLICABLE SPEEDY TRIAL ACT
)	CALCULATION
16 Defendant.)	
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18 **STIPULATION**

19 IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:

20 1. The parties appeared before the Court on November 10, 2015 at 2:00 p.m. for a status
21 hearing. Mr. McNeal was present and in custody and represented by Assistant Federal Defender Ellen
22 Leonida. Assistant United States Attorney Marc Wolf appeared for the Government. The parties agreed
23 to stipulate to a continuance of the matter, with time excluded for effective preparation of counsel, to
24 allow defense counsel to review the discovery provided by the government.

25 2. Accordingly, with the parties' agreement as to the new date, the Court scheduled a jury
26 trial for April 4, 2016 at 7:30 a.m., with the understanding that the parties would submit a Stipulation
27 and Proposed Order excluding time.

28 3. The parties now formalize their request for a continuance of this matter to April 4, 2016

1 at 7:30 a.m. for jury trial, and respectfully submit and agree that the period from November 10, 2015
2 through and including April 4, 2016 should be excluded from the otherwise applicable Speedy Trial Act
3 computation because the continuance is necessary for effective preparation of counsel, taking into
4 account the exercise of due diligence. Specifically, the time requested for exclusion will allow
5 McNeal's newly appointed assistant federal public defender to review the discovery provided by the
6 Government.

7 IT IS SO STIPULATED.

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9 DATED: December 11, 2015

BRIAN J. STRETCH
Acting United States Attorney

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11 /s/
MICHAEL MAFFEI
12 Assistant United States Attorney

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14 DATED: December 11, 2015

15 /s/
16 ELLEN LEONIDA
17 Counsel for the Defendant

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19 **PROPOSED ORDER**

20 Based upon the above-described Stipulation, THE COURT FINDS THAT the ends of justice
21 served by granting a continuance from November 10, 2015 through and including April 4, 2016
22 outweigh the best interest of the public and the defendant in a speedy trial, and that failure to grant such
23 a continuance would unreasonably deny the defendant the reasonable time necessary for effective
24 preparation, taking into account the exercise of due diligence.

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1 Accordingly, THE COURT ORDERS THAT:

2 1. The parties shall appear before the Court on April 4, 2016 at 7:30 a.m. for jury trial.

3 2. The period from November 10, 2015 through and including April 4, 2016 is excluded
4 from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(7)(A) &
5 (B)(iv).

6 IT IS SO ORDERED.

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8 DATED: December 16, 2015.


HON. WILLIAM ALSUP
United States District Judge